



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

981137

ELECTRONIC SERVICE VIA EMAIL
RETURN RECEIPT REQUESTED

Joseph McNamara
EHSS Manager
Carus LLC LaSalle Site
1500 Eighth Street
LaSalle, IL 61301

Re: Request for Information Pursuant to Section 104(e) of CERCLA for the Carus LLC LaSalle Site, Facility, in LaSalle, Illinois

Dear Mr. McNamara:

The U.S. Environmental Protection Agency is currently investigating the source, extent, and nature of releases of hazardous substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. §§ 9601 *et seq.*, as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. 99-499, including but not limited to the release of a hazardous substance which occurred at Carus LLC LaSalle Site, in LaSalle, Illinois, on January 11, 2023.

Pursuant to the authority of Section 104(e) of the CERCLA, 42 U.S.C. § 9604(e), you are hereby requested to respond to the Information Request enclosed. Compliance with the enclosed Information Request is mandatory. Failure to respond fully and truthfully to each and every request within **(30) days** of receipt of this letter, or to adequately justify such failure to respond, can result in enforcement action by EPA and the imposition of penalties of up to \$62,689 for each day of noncompliance. Noncompliance is considered by EPA to be not only failure to respond to the Information Request but also failure to respond completely and truthfully to each request. Please be further advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal fines or up to five years of imprisonment or both under 18 U.S.C. § 1001. If you are unable to respond in a timely fashion because of impacts related to the COVID-19 pandemic, please submit a written extension request via email to jager.ginger@epa.gov, explaining the specific impacts on your ability to respond.

EPA has the authority to use the information requested herein in an administrative, civil, or criminal action. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. §§ 3501 *et seq.*

Any response should be submitted to EPA electronically, to the extent possible and sent to jager.ginger@epa.gov. The subject line of all email correspondence must include Carus LLC LaSalle Site. All electronically submitted materials must be in final and searchable format, such as Portable Document Format (PDF) with Optical Character

Recognition (OCR) applied. If your response is too large to be submitted over email or contains Confidential Business Information, please inform jager.ginger@epa.gov of that issue and we will send you a secure link to a website that will allow you (and you alone) to upload your response. If electronic submittal is not possible, the submissions must be sent to the following addresses:

Ginger Jager
Chemical Emergency Preparedness
and Prevention Section (SE-5J)
United States Environmental Protection Agency
77 West Jackson Boulevard
Chicago, Illinois 60604

We have enclosed an EPA document entitled "*U.S. EPA Small Business Resources*" which might be helpful if you are a qualified small business.

EPA strongly encourages you to give this matter your immediate attention and to respond to this Information Request within the time specified above.

Please direct any questions you may have regarding this Information Request to CEPPS Staff at (312) 886-0767 or jager.ginger@epa.gov.

Thank you for your cooperation in this matter.

Sincerely,

Jason El-Zein, Manager
Emergency Response Branch 1
Superfund & Emergency
Management Division

Enclosures (4)

1. Information Request Definitions
2. Information Request Instructions
3. Information Request
4. Small Business Information Sheet

DEFINITIONS

For the purpose of the Instructions and the Information Request set forth herein, the following definitions shall apply:

1. The terms “you” or “Respondent” shall mean the organization or entity identified in the cover letter, and its officers, managers, employees, contractors, trustees, and agents.
2. The term “person” as used herein, in the plural as well as the singular, shall mean any natural person, firm, contractor, corporation, partnership, trust or governmental entity, unless the context indicates otherwise.
3. The term “hazardous substance” shall have the same definition as that contained in Section 101(14) of CERCLA, including mixtures of hazardous substances.
4. The terms “furnish,” “describe,” or “indicate” shall mean turning over to EPA either original or duplicate copies of the requested information in the possession, custody, or control of the Respondent. Where specific information has not been memorialized in any document but is nonetheless responsive to a request, you must respond to the request with a written response. If such requested information is not in your possession, custody, or control, then indicate where such information or documents may be obtained.
5. The term “release” means any spilling, leaking, pumping, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing of any hazardous substance.
6. The terms “and” as well as “or” shall be construed either conjunctively or disjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.
7. The terms “transport” or “transportation” mean the movement of a hazardous substance by any mode, including pipeline, and in the case of a hazardous substance which has been accepted for transportation by a common or contract carrier, the terms “transport” or “transportation” shall include any stoppage in transit which is temporary, incidental to the transportation movement, and at the ordinary operating convenience of a common or contract carrier, and any such stoppage shall be considered as a continuity of movement and not as the storage of a hazardous substance.
8. The terms “pollutant” or “contaminant” shall have the same definition as that contained in Section 101(33) of CERCLA and includes any mixtures of such pollutants and contaminants with any other substances.
9. The term “facility” means (1) any building structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft, or (2) any site or area where a hazardous substance has been disposed of, or

placed, or otherwise come to be located; but does not include any consumer products in consumer use or vessel.

10. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §§ 6901 et seq., as amended, 40 C.F.R. Part 300 or 40 C.F.R. Parts 260-280, in which case the statutory or regulatory definitions shall apply.

INSTRUCTIONS

1. A separate response must be made to each of the questions set forth in this Information Request.
2. Precede each answer with the number in the Information Request to which it corresponds.
3. In answering each request, identify all contributing sources of information.
4. If information not known or not available to the Respondent as of the date of submission of its response should later become known or available, Respondent must supplement its response to EPA. Moreover, should the Respondent find at any time after the submission of its response that any portion of the submitted information is false or misrepresents the truth, Respondent must notify EPA as soon as possible.
5. You must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete.

6. The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may, if you desire, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you. You should read carefully the above-cited regulations, together with the standards set forth in Section 104(e)(7) of CERCLA, before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim, as stated in Section 104(e)(7)(F) of CERCLA.

INFORMATION REQUEST

1. Identify all persons consulted in the preparation of the answers to this request.
2. Identify all documentation consulted, examined, or referred to in the preparation of the answers to this request and provide copies of all such documents.
3. What is Carus LLC LaSalle Site's Standard Industrial Classification Code?
4. What is Carus LLC LaSalle Site's North American Industrial Classification System Code?
5. What is Carus LLC LaSalle Site's Dun & Bradstreet number?
6. What are Carus LLC LaSalle Site's annual sales for the most recently completed fiscal year?
7. How many employees are employed at Carus LLC LaSalle Site, 1500 Eighth Street, LaSalle, Illinois 61301?
8. How many employees are employed at Carus LLC LaSalle Site's corporate wide?
9. Is Carus LLC LaSalle Site a RCRA facility? If so, provide the EPA Identification Number.
10. Provide a copy of your emergency plan which outlines the procedures for notification of accidental releases at your facility.
11. Provide documentation regarding the training of your employees on the procedures for notification of accidental releases at your facility.
12. Provide the name and current address of the owner(s) of the property located at 1500 Eighth Street, LaSalle, Illinois 61301, during the time period January 1, 2023, to the present.
13. Provide the name and current address of the operator(s) of the facility located at 1500 Eighth Street, LaSalle, Illinois 61301, during the time period of January 1, 2023, to the present.
14. If Carus LLC LaSalle Site was a corporation during the time period of January 1, 2023, to the present, provide a copy of the Articles of Incorporation.
15. If Carus LLC LaSalle Site was a subsidiary of a corporation during the time period of January 1, 2023, to the present, identify the parent corporation and provide copies of pertinent documents supporting the subsidiary relationship.
16. If Carus LLC LaSalle Site was a division of a corporation during the time period of January 1, 2023, to the present, identify the corporation and provide copies of pertinent documents supporting your claim.

17. If Carus LLC LaSalle Site was a partnership during the time period of January 1, 2023, to the present, provide a copy of the partnership agreement.
18. If Carus LLC LaSalle Site was a trust during the time period of January 1, 2023, to the present, provide all relevant agreements and documents to support this claim.
19. Describe in detail the process that produced the release of a hazardous substance which occurred on January 11, 2023.
20. Describe in detail the chain of events that produced the release of a hazardous substance which occurred on January 11, 2023.
21. Identify each hazardous substance released and its Chemical Abstract Service (CAS) number.
22. How much of each hazardous substance was released? Describe your method or source of information in calculating the quantity released and provide the calculations.
23. Describe the surfaces on or to which the hazardous substance was released and how much was released to each surface. Describe your method or source of information in calculating the quantity and provide the calculations.
24. How much of each hazardous substance was released or migrated onto and/or into the soil and/or the subsurface strata? Describe your method or source of information in calculating the quantity and provide the calculations.
25. How much of each hazardous substance volatilized? Describe your method or source of information in calculating the quantity and provide the calculations.
26. How much of each hazardous substance was discharged into the sanitary sewer system? If any, describe the pre-treatment conducted by your facility.
27. How much of each hazardous substance was discharged into the storm sewer system? Describe your method or source of information in calculating the quantity and provide the calculations.
28. Did the hazardous substance react with any substance to cause a by-product? If so, explain and provide the calculations to show the reaction and quantity of each by-product released.
29. What was the concentration of each hazardous substance? Describe your method or source of information in determining the concentration.
30. Provide copies of any and all relevant descriptions of each hazardous substance released, i.e., Material Safety Data Sheet (MSDS), Safety Data Sheet (SDS), Manifest, Analytical Data, etc.

31. Provide the RCRA hazardous waste identification number for each hazardous substance released, if one exists.
32. Provide the results of any and all analyses, including but not limited to results of any sampling that was conducted regarding this release.
33. Describe in detail the actions taken by your employees and/or anyone else regarding the emergency response to this release, including any and all chemicals used, the handling or clean-up of the substance, including transportation and destination.
34. Was the release contained solely within a building or structure? If so, explain.
35. Did any of the substance released migrate beyond your facility's boundaries? If so, explain.
36. Provide copies of any permits that cover this release and provide an explanation of why you believe this release is covered by this permit.
37. If the release was into a containment area, please respond to the following information requests:
 - (a) What are the materials of construction for the containment area?
 - (b) What are the dimensions of the containment area?
 - (c) Did the containment area contain a neutralization agent? If so, what, and how much of the neutralization agent was present?
38. Provide a diagram of your facility in relation to each of the facility's boundaries, north, east, south, west, and identify the distance between the point of the release and each facility boundary.
39. Provide a description of the area including residential, commercial, and industrial nature of the area surrounding your facility including the approximate distance of your closest neighbor in each direction. If commercial or industrial, please specify the type.
40. If the release was from a storage area, i.e., tanker, storage tank, etc., provide the following information:
 - (a) Location of the tank or storage area, inside or outside of a building, ground level, one story up, etc.
 - (b) Location of the leak in relation to the tank or storage area, i.e., top left side, center top, center side, etc.
 - (c) Size of the hole or opening from which the leak occurred.
 - (d) Length of tank or storage area.
 - (e) Diameter of tank or storage area.

41. To the best of your knowledge what was the duration of the release from onset to mitigation? Explain how you determined the onset and mitigation of the release and what documents or information you relied on to make your determination.
42. Provide the weather conditions at the time of the release including the temperature, humidity, wind speed and direction, precipitation, sunny/cloudy, and barometric conditions.
43. Was the release from a pressurized system? If so, what is the capacity of the system, and what is the normal pressure in pounds per square inch.
44. If all the hazardous substance in the system was not released on January 11, 2023, how much was in the system at the time of the release, and how much was left in the system after mitigation of the release?
45. Was the release from a process pipe, a pipe connected to a tank, or a tank? If none of these apply, explain exactly where the release occurred.
46. If the release was from a process pipe or a pipe connected to a tank, provide the dimensions of the piping.
47. Were there any evacuations, persons medically treated, hospitalizations, and/or deaths associated with this release? If so, describe in detail.
48. Was there any known environmental damage, i.e., fish kills, vegetation damage? If so, describe in detail.
49. Provide both the date and time when your company first realized that a hazardous substance was being released from the facility on January 11, 2023.
50. Provide both the date and time when you had knowledge that a reportable quantity (RQ) of the hazardous substance was released from the facility on January 11, 2023.
51. If the time of knowledge of the release and time of knowledge of an RQ released is not the same, explain what actions your employees took in determining that an RQ was released.
52. Did Carus LLC LaSalle Site notify the National Response Center regarding the January 11, 2023, release? If so, provide the name of the individual that provided the notification, the agency notified, and the date and time of each call.
53. Did Carus LLC LaSalle Site notify the Illinois State Emergency Response Commission regarding the January 11, 2023, release? If so, provide the name of the individual that provided the notification, the agency notified, and the date and time of each call.
54. Did Carus LLC LaSalle Site notify the LaSalle County Local Emergency Planning Committee regarding the January 11, 2023, release? If so, provide the name of the individual that provided the notification, the agency notified, and the date and time of each call.

55. Did Carus LLC LaSalle Site provide a written follow-up emergency notice to the Illinois State Emergency Response Commission? If so, provide documentation to support your claim.
56. Did Carus LLC LaSalle Site provide a written follow-up emergency notice to the LaSalle County Local Emergency Planning Committee? If so, provide documentation to support your claim.
57. Is Carus LLC LaSalle Site a retailer selling fertilizer to the ultimate consumer, i.e., farmer, or does Carus LLC LaSalle Site also sell to others?
58. Provide a list of hazardous chemicals that are on-site.

U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

Office of Small and Disadvantaged Business Utilization (OSDBU)

<https://www.epa.gov/aboutepa/about-office-small-and-disadvantaged-business-utilization-osdbu>

EPA's OSDBU advocates and advances business, regulatory, and environmental compliance concerns of small and socio-economically disadvantaged businesses.

EPA's Asbestos Small Business Ombudsman (ASBO)

<https://www.epa.gov/resources-small-businesses/asbestos-small-business-ombudsman> or 1-800-368-5888

The ASBO helps make technical resources on environmental regulations, asbestos, and compliance assistance information more accessible, while encouraging communication and partnerships with small business on regulatory compliance, and to address asbestos-related questions from the public.

Small Business Environmental Assistance Program

<https://nationalsbeap.org>

This program provides a "one-stop shop" for small businesses and assistance providers seeking information on a wide range of environmental topics and state-specific environmental compliance assistance resources.

EPA's Compliance Assistance Homepage

<https://www.epa.gov/compliance>

This page is a gateway to industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

Compliance Assistance Centers

<https://www.complianceassistance.net/>

EPA-sponsored Compliance Assistance Centers provide the information you need, in a way that helps make sense of environmental regulations. Each Center addresses real world issues faced by a specific industry or government sector. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

<https://www.epa.gov/agriculture>

Automotive Recycling

<http://www.ecarcenter.org>

Automotive Service and Repair

<https://ccar-greenlink.org/> or 1-888- 476-5465

Beneficial Use

<https://www.beneficialuse.org/>

Construction

<https://www.cicacenter.org/>

Education

<https://www.nacubo.org/>

Hazardous Waste Portal

<https://www.hazwasteportal.org/>

Healthcare

<http://www.hercenter.org>

Local Government

<https://www.lgean.net/>

Oil/Natural Gas Energy Extraction

<https://www.eciee.org/>

Paints and Coatings

<https://www.paintcenter.org/>

Ports

<https://www.portcompliance.org/>

Surface Technology Environmental Resource Center (STERC)

<https://sterc.org/>

Transportation

<https://www.tercenter.org/>

U.S. Border Compliance and Import/Export Issues

<https://www.bordercenter.org/>

Veterinary Care

<https://vetca.org/>

EPA Hotlines and Clearinghouses

www.epa.gov/home/epa-hotlines

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Examples include:

Clean Air Technology Center (CATC) Info-line

www.epa.gov/catc or 919-541-0800

Superfund, TRI, EPCRA, RMP and Oil Information Center

1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or 734-214-4100

National Pesticide Information Center

www.npic.orst.edu or 1-800-858-7378

National Response Center Hotline to report oil or hazardous substance spills

<https://nrc.uscg.mil/>; NRC@uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC)

ppic@epa.gov or 202-566-0799

Safe Drinking Water Hotline

safewater@epa.gov or 1-800-426-4791

Toxic Substances Control Act (TSCA) Hotline

tsc hotline@epa.gov or 202-554-1404

Small Entity Compliance Guides

<https://www.epa.gov/reg-flex/small-entity-compliance-guides>

EPA publishes a Small Entity Compliance Guide (SECG) for every rule for which the Agency has prepared a final regulatory flexibility analysis, in accordance with Section 604 of the Regulatory Flexibility Act (RFA).

Regional Small Business Liaisons

www.epa.gov/resources-small-businesses/epa-regional-office-small-business-liaisons

The U.S. Environmental Protection Agency (EPA) Regional Small Business Liaison (RSBL) is the primary regional contact and often the expert on small business assistance, advocacy, and outreach. The RSBL is the regional voice for the EPA Asbestos and Small Business Ombudsman (ASBO).

State Resource Locators

www.envcap.org/srl/

The Locators provide state-specific information on regulations and resources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)

<https://nationalsbeap.org/states>

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits.

EPA's Tribal Portal

<https://www.epa.gov/tribal>

The Portal helps users locate tribal-related information within EPA and other federal agencies.

EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has several such policies that may apply to small businesses. More information is available at:

- **EPA's Small Business Compliance Policy**
<https://www.epa.gov/compliance/small-business-compliance>
- **EPA's Audit Policy**
www.epa.gov/compliance/epas-audit-policy

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a Small Business Administration (SBA) National Ombudsman and 10 Regional Fairness Boards to receive comments from small business about federal agency enforcement actions.

If you believe that you fall within the SBA's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, you can call the SBA National Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247), or submit a comment online at: <https://www.sba.gov/about-sba/oversight-advocacy/office-national-ombudsman>.

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions, or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes, including the right to take emergency remedial actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.